

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 159
94TH GENERAL ASSEMBLY

Reported from the Committee on Financial and Governmental Organizations and Elections, February 15, 2007, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

Senate Committee Substitute adopted March 7, 2007.

Taken up March 7, 2007. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0614S.02P

AN ACT

To amend chapter 337, RSMo, by adding thereto two new sections relating to licensed professional counselors.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 337, RSMo, is amended by adding thereto two new sections, to be known as sections 337.528 and 337.649, to read as follows:

337.528. 1. If the committee finds merit to a complaint by an individual incarcerated or under the care and control of the department of corrections and takes further investigative action, no documentation may appear on file or disciplinary action may be taken in regards to the licensee's license unless the provisions of subsection 2 of section 337.525 have been violated. Any case file documentation that does not result in the committee filing an action under subsection 2 of section 337.525 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 337.525 have been violated.

2. Upon written request of the licensed professional counselor subject to a complaint, prior to August 28, 2007, by an individual incarcerated or under the care and control of the department of corrections that did not result in the committee filing an action under subsection 2 of section 337.525, the committee and the division of professional registration shall in a timely fashion:

19 (1) Destroy all documentation regarding the complaint;
20 (2) Notify any other licensing board in another state or any
21 national registry regarding the committee's actions if they have been
22 previously notified of the complaint; and

23 (3) Send a letter to the licensee that clearly states that the
24 committee found the complaint to be unsubstantiated, that the
25 committee has taken the requested action, and notify the licensee of the
26 provisions of subsection 3 of this section.

27 3. Any person who has been the subject of an unsubstantiated
28 complaint as provided in subsection 1 or 2 of this section shall not be
29 required to disclose the existence of such complaint in subsequent
30 applications or representations relating to their counseling professions.

 337.649. 1. If the board finds merit to a complaint by an
2 individual incarcerated or under the care and control of the
3 department of corrections and takes further investigative action, no
4 documentation may appear on file or disciplinary action may be taken
5 in regards to the licensee's license unless the provisions of subsection
6 2 of section 337.630 or subsection 2 of section 337.680 have been
7 violated. Any case file documentation that does not result in the board
8 filing an action under subsection 2 of section 337.630 or subsection 2 of
9 section 337.680 shall be destroyed within three months after the final
10 case disposition by the board. No notification to any other licensing
11 board in another state or any national registry regarding any
12 investigative action shall be made unless the provisions of subsection
13 2 of section 337.630 or subsection 2 of section 337.680 have been
14 violated.

15 2. Upon written request of the social worker subject to a
16 complaint, prior to August 28, 2007, by an individual incarcerated or
17 under the care and control of the department of corrections that did
18 not result in the board filing an action under subsection 2 of section
19 337.630 or subsection 2 of section 337.680, the board and the division of
20 professional registration, shall in a timely fashion:

21 (1) Destroy all documentation regarding the complaint;
22 (2) Notify any other licensing board in another state or any
23 national registry regarding the board's actions if they have been
24 previously notified of the complaint; and
25 (3) Send a letter to the licensee that clearly states that the board

26 found the complaint to be unsubstantiated, that the board has taken the
27 requested action, and notify the licensee of the provisions of subsection
28 3 of this section.

29 3. Any person who has been the subject of an unsubstantiated
30 complaint as provided in subsection 1 or 2 of this section shall not be
31 required to disclose the existence of such complaint in subsequent
32 applications or representations relating to their social work
33 professions.

Unofficial

Bill

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